



PUBLIC WORKS DEPARTMENT
Timm Borden, Director

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November 20, 2014

Christopher Calfee, Senior Counsel
CEQA.Guidelines@ceres.ca.gov
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Re: Preliminary Discussion Draft of Updates to CEQA Guidelines Implementing Senate Bill 743 (Steinberg) dated August 6, 2014

Dear Mr. Calfee:

This letter is submitted in response to the Preliminary Discussion Draft of Updates to CEQA Guidelines Implementing Senate Bill 743 dated August 6, 2014. Thank you in advance for your thoughtful consideration of these comments that are submitted on behalf of the City of Cupertino.

Page 13, Section (b)(1) states, "Development projects that located within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor generally may be considered to have a less than significant transportation impact." This statement appears to be in contradiction to Section (d) which states, "this section shall apply to the analysis of projects located within one-half mile of major transit stops or high quality transit corridors."

Page 18, 6(c), it is unclear how incorporating affordable housing into a project could be considered as a potential measure to reduce vehicle miles travelled.

Page 27, Appendix B, states, "Among other effects, loading additional vehicle miles travelled, or VMT, onto the roadway network leads to increased emissions of air pollutants, including greenhouse gases, as well as increased consumption of energy." This statement, and similar ones throughout the document, imply that VMT can be used as a sufficient and accurate measure of greenhouse gas emissions associated with a project. In fact, VMT alone provides no indication of the level of greenhouse gas

emissions. Omissions are dependent not only on VMT but also, for example, on level of congestion, of which Level of Service has been a standard metric in the industry. A vehicle mile travelled along a free-flowing highway does not generate the same level of omissions as one travelled along a congested arterial, and the level of congestion as a contributing factor in greenhouse gas emissions cannot be ignored. Although the City of Cupertino supports the goal of identifying metrics such as VMT which may provide an indication of the level of greenhouse gases resulting from a project, level of congestion, whether measured as a standard Level of Service or other indicator, should remain as a measure of transportation impact and contributing factor to greenhouse gas emissions.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Timm Borden', with a long horizontal stroke extending to the right.

Timm Borden
Director of Public Works

cc: David Brandt, City Manager
Carol Korade, City Attorney